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U.S. Department of Justice

United States Attorney  
Southern District of New York86 Chambers Street  
New York, New York 10007

January 14, 2021

By CM/ECF

Honorable Barbara C. Moses  
 United States Magistrate Judge  
 United States Courthouse  
 500 Pearl St.  
 New York, NY 10007-1312

# MEMO ENDORSED

Re: *DuBois vs. Saul*, 1:20-cv-8422-ER-BCM

Dear Judge Moses:

This Office represents Andrew Saul, the Commissioner of Social Security (Commissioner) in the above-referenced action pursuant to 42 U.S.C. § 405(g), challenging a decision by the Commissioner to deny plaintiff's application for program benefits. The Commissioner is to file a certified administrative record (CAR) by January 21, 2021. The undersigned respectfully requests a 60-day extension of this deadline to March 22, 2021, to file the CAR.

This is the Commissioner's first request for an extension of the deadline to file this certified administrative transcript. The extension is necessary because teleworking and other temporary workplace changes due to the COVID-19 pandemic have significantly impacted the operations of the Social Security Administration's Office of Appellate Operations (OAO) and materially affected its ability to prepare CARs, including obtaining transcriptions of hearing recordings from private contractors. Over the past few months, OAO has redesigned its business process to allow for a mostly virtual CAR preparation process, and has worked and continues to work to expand and improve this process. Although the current process has improved and increased CAR production, challenges remain, including rising court case filings, as well as staffing and processing problems with transcript typing service contractors. OAO asks for continued patience as it strives to resolve these issues.

Lastly, Plaintiff consents to the requested extension.

Application GRANTED. No further extensions will be granted absent compelling circumstances. SO ORDERED.

Barbara Moses, U.S.M.J.  
 January 15, 2021

Thank you for Your Honor's consideration.

Respectfully submitted,

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Acting United States Attorney

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